

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LISA LOMBARDO,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 9-4-24
DATE FILED: 9-4-24ORDER

20 CV 6813 (VB)

In connection with plaintiff's opposition to her counsel's motion to withdraw (Doc. #255), plaintiff's counsel filed a letter-motion seeking to seal certain portions of plaintiff's opposition (Doc. #254). There is a presumption of public access to judicial documents, which includes memoranda of law and declarations. See Lugosch v. Pyramid Co. of Onondaga, 435 F.3d 110, 120 (2d Cir. 2006). However, there is no presumptive right of access to settlement discussions and documents. See United States v. Glens Falls Newspapers, Inc., 160 F.3d 853, 857 (2d Cir. 1998).

Plaintiff's counsel appropriately redacted references to the parties' settlement discussions and proposed settlement terms. (Doc. #255-1 ¶¶11, 12, 14, 16, 17). However, plaintiff's counsel also redacted references to plaintiff's challenge to her counsel's legal fees and request that the Court order plaintiff's counsel to participate in fee dispute arbitration pursuant to Part 137 of the Rules of the New York Supreme Court. (Id. ¶21). The Court is aware of no basis to seal this information, which is also largely duplicative of a footnote in plaintiff's opposition with no proposed redactions. (Id. ¶4 n.4).

Accordingly, it is HEREBY ORDERED:

1. Plaintiff's counsel's request to file the unredacted version of plaintiff's opposition under seal (Doc. #254) is GRANTED. The Clerk is directed to place Doc. #255 under seal so it remains restricted to court users and the parties.

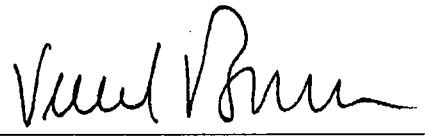
2. Plaintiff's counsel is instructed to publicly file plaintiff's opposition with all proposed redactions except the proposed redactions to paragraph 21.

3. In addition, by **September 9, 2024**, plaintiff's counsel shall file a letter indicating whether it consents to fee dispute arbitration with plaintiff pursuant to Part 137 of the Rules of

the New York State Supreme Court, and if so, the impact, if any, on the pending motion to enforce the settlement agreement (Doc. #227) and motion to withdraw (Doc. #239).

Dated: September 4, 2024
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge